

SUPREME COURT OF ILLINOIS

TUESDAY, SEPTEMBER 16, 2003

THE FOLLOWING ANNOUNCEMENTS WERE MADE:

CIVIL DOCKET

No. 96236 - Sharon A. Price et al., etc., appellees, v. Philip Morris, Incorporated, appellant.

On the Court's own motion, the order of June 11, 2003, denying the motion for direct appeal pursuant to Supreme Court Rule 302(b) is vacated. The motion of appellant for direct appeal pursuant to Supreme Court Rule 302(b) is allowed.

Order entered by the Court.

No. 96644 - Philip Morris Incorporated, movant, v. Illinois Appellate Court, Fifth District, et al., respondents.

The conditional motion of movant for supervisory order and the renewed motion of movant for supervisory order are allowed.

In the exercise of this Court's supervisory authority, and pursuant to Supreme Court Rule 305(g), the Appellate Court, Fifth District, is directed to vacate its judgment in Price et al. v. Philip Morris, Inc., No. 5-03-0320. The Circuit Court of Madison County is directed to vacate its order of August 15, 2003, and to reinstate its orders of April 14, 2003, and May 9, 2003, setting a modified appeal bond in Price et al. v. Philip Morris, Inc., Madison County, No. 00 L 112.

Order entered by the Court.

LEAVE TO APPEAL DOCKET

No. 96643 - Sharon A. Price et al., etc., respondents, v. Philip Morris, Incorporated, petitioner.

The petition for leave to appeal is denied.

Emergency motion by petitioner for stay of the Appellate Court, Fifth District's order remanding to the trial court and of enforcement of the \$10.1 billion dollar judgment, pending a final determination by the Court of the issues raised in petition for leave appeal and petitioner's motion for a conditional supervisory order in Philip Morris Inc., v. Appellate Court, Fifth District, No. 96644, and for expedited review of petition for leave to appeal. Motion denied as moot.

Order entered by the Court.

Motion by petitioner for leave to file under seal materials containing highly confidential information instanter. Motion allowed.

Order entered by the Court.

Renewed motion by petitioner for stay. Renewed motion denied as moot.

Order entered by the Court.

SUPREME COURT OF ILLINOIS

COURT CONVENED AT 9:30 A.M., TUESDAY, SEPTEMBER 16, 2003

THE FOLLOWING ANNOUNCEMENTS WERE MADE:

ADVISEMENT DOCKET

No. 91949 - In re: Local 1220, International Brotherhood of Electrical Workers, AFL-CIO, movant.

Supplemental motion by movant for a supervisory order. The supplemental motion for a supervisory order is taken under advisement and is continued to the November 2003 Term of Court.

Order entered by the Court.

MISCELLANEOUS RECORD

M.R.18980 - In re: Shelley Lynne Moore, an attorney, petitioner.

Motion by petitioner for leave to change her name on the roll of attorneys from Shelley Lynne Moore to Shelley Moore McCormick. Motion allowed.

Order entered by Justice Fitzgerald.

M.R.18982 - In re: Meredith J. Ringler, an attorney, petitioner.

Motion by petitioner for leave to change her name on the roll of attorneys from Meredith J. Ringler to Meredith Ringler McGuirk. Motion allowed.

Order entered by Justice Fitzgerald.

THE FOLLOWING MOTIONS WERE PRESENTED AND ORDERS WERE ENTERED AS INDICATED:

PEOPLE'S DOCKET

No. 92072 - People State of Illinois, appellant, v. Gershon Shepherd, appellee.

Motion by appellee to set briefing schedule.

No. 95902 - In re Jermaine J., a Minor (People State of Illinois, appellant, v. Jermaine J., appellee).

Motion by appellant to dismiss appeal. Motion allowed.

Order entered by Justice Garman.

No. 96367 - People State of Illinois, appellant, v. Gerald Scott Huddleston, appellee.

Motion by appellant for leave to supplement record on appeal instant. Motion allowed.

Order entered by Justice Garman.

No. 96784 - People State of Illinois, appellant, v. Tremain Funches, etc., appellee.

Motion by appellant for leave to file docketing statement instant. Motion allowed.

Order entered by Justice Garman.

CIVIL DOCKET

No. 95458 - Mark Weiss, Indv., etc., appellee, v. Waterhouse Securities, Inc., appellant.

Motion by appellee for leave to address jurisdictional issues at oral argument in support of appellee's motion to dismiss for want of appellate jurisdiction. Motion allowed.

Order entered by Justice Fitzgerald.

No. 95643 - Mark Lyon, appellee, v. The Illinois Department of Children and Family Services et al., etc., appellants.

Motion by appellants for an extension of time for filing reply brief to and including October 17, 2003. Motion allowed.

Order entered by Justice Garman.

No. 95876 - Earlean Jenkins, etc., appellee, v. Dr. Choong Lee et al., appellants.

Motion by appellants for an extension of time for filing brief to and including September 17, 2003. Motion allowed.

Order entered by Justice Fitzgerald.

No. 95878 - Muller Law Firm, appellee, v. Samuel King, appellee (Kenneth Swiatek et al., appellants).

Motion by appellee Samuel King for leave to cite additional authority instanter. Motion denied.

Order entered by Justice Garman.

No. 96740 - People ex rel. Paul A. Logli, State's Attorney of Winnebago County, movant, v. Four Seasons International, etc., et al., respondents.

Motion by movant to transfer case No. 03 CH 733, Peo ex rel. Logli, etc., v. Four Seasons International, etc., et al. from Winnebago County to Menard County and to consolidate it with Menard County No. 03 CH 20, People ex rel. Russell, v. Four Seasons International, etc., et al., formerly Kane County No. 03 CH 639.

No. 96881 - Bondex International, Inc., et al., movants, v. Hon. Lola P. Maddox, Associate Judge of the Third Judicial Circuit, et al., respondents.

Motion by movants for stay of proceedings in the Circuit Court of Madison County in Bondex International, Inc., et al., v. Worobey et al., case No. 03 L 0164, pending disposition of the motion for a supervisory order.

No. 96892 - Bondex International, Inc., et al., movants, v. Hon. Lola P. Maddox, Associate Judge of the Third Judicial Circuit, et al., respondents.

Motion by movants for stay of proceedings in the Circuit Court of Madison County in Bondex International, Inc., v. Noel et al., case No. 03 L 166, pending disposition of the motion for a supervisory order.

- No. 96893 - Bondex International, Inc., et al., movants, v. Hon. Lola P. Maddox, Associate Judge of the Third Judicial Circuit, et al., etc., respondents.

Motion by movants for stay of proceedings in the Circuit Court of Madison County in Bondex International, Inc., et al., v. Thompson et al., case No. 03 L 162, pending disposition of the motion for a supervisory order.

- No. 96920 - Union Carbide Corporation, appellant, v. Thomas Knight et al., appellees.

Motion by Kaiser Gypsum Company, Inc., for leave to join in appellant's motion for direct appeal or, in the alternative, a supervisory order.

Motion by appellant Kaiser Gypsum Company, Inc., to dismiss the appeal and all ancillary motions and prepared orders filed herein, in so far as it has been filed and on behalf of Kaiser Gypsum, Inc., with prejudice.

- No. 96924 - Eaton Corporation, etc., et al., movants, v. Hon. Lola P. Maddox, Associate Judge for the 3rd Judicial Circuit, et al., respondents.

Motion by movants for stay of proceedings in the Circuit Court of Madison County in Eaton Corporation, etc., et al., v. Sattler et al., case No. 02 L 1426, pending disposition of the motion for a supervisory order.

- No. 96925 - Eaton Corporation, etc., et al., movants, v. Hon. Lola P. Maddox, Associate Judge for the 3rd Judicial Circuit, et al., respondents.

Motion by movants for stay of proceedings in the Circuit Court of Madison County in Eaton Corporation, etc., et al., v. Takats et al., case No. 02 L 1427, pending disposition of the motion for a supervisory order.

LEAVE TO APPEAL DOCKET

- No. 94836 - Rita Langenhorst, etc., respondent, v. Norfolk Southern Railway Company, etc., et al., petitioners.

Motion by petitioners for leave to file explanatory suggestions instant in support of the motion for leave to file supplemental authority instant. Motion allowed.

Order entered by Justice Garman.

- No. 96459 - People State of Illinois, respondent, v. James Turner, petitioner.

Motion by petitioner, pro se, for oral argument and appointment of counsel.

- No. 96499 - Terese Oswald, etc., respondent, v. Titan Tire Company et al., etc., respondents (Midwest Services, Inc., petitioner).

Motion by petitioner for leave to file reply instant to respondents' answer to petition for leave to appeal. Motion denied.

Order entered by Justice Garman.

- No. 96551 - People State of Illinois, respondent, v. Douglas Hickman, petitioner.

Motion by petitioner, pro se, for leave to supplement petition for leave to appeal instant with additional case law. Motion allowed.

Order entered by Justice Garman.

- No. 96739 - Nathaniel Cook, Indv., etc., petitioner, v. Emma Burnette (Talman Home Federal Savings and Loan Ass'n. et al., respondents).

Motion by petitioner for leave to cite additional authority instant. Motion allowed.

Order entered by Justice Fitzgerald.

- No. 96760 - The Cook County Board of Review, respondent, v. The Property Tax Appeal Board, petitioner.

Motion by Taxpayers' Federation of Illinois and County Assessment Officers Association of Illinois for leave to file a brief as amici curiae instante in support of the petition for leave to appeal. Motion denied without prejudice to refile the motion if the petition for leave to appeal is allowed.

Order entered by Justice Fitzgerald.

- No. 96788 - William Weismueller et al., respondents, v. United Parcel Service et al., petitioners.

Motion by petitioners for leave to cite additional authority instante. Motion allowed.

Order entered by Justice Fitzgerald.

- No. 96855 - Denise Adams et al., etc., respondents, v. City of Peoria, etc., petitioner.

Motion by respondents for leave to file answer to petition for leave to appeal instante. Motion allowed.

Order entered by Justice Garman.

- No. 96935 - Phyllis Vettore, as Special Adm'r., etc., respondent, v. Endee, L.L.C., etc., et al., petitioners.

Motion by petitioners for an extension of time for filing petition for leave to appeal to and including October 1, 2003. Motion allowed.

Order entered by Justice Fitzgerald.

- No. 96936 - David J. Fletcher, M.D., petitioner, v. Decatur Memorial Health Foundation et al., respondents.

Motion by petitioner for leave to file petition for leave to appeal instante. Motion allowed.

Order entered by Justice Garman.

No. 96942 - Josephine Wilkins, respondent, v. Betty J. Dumas, et al., petitioners.

Motion by petitioners, pro se, for leave to file petition for leave to appeal instant. Motion allowed.

Order entered by Justice Fitzgerald.

No. 96948 - CCD Development Company, petitioner, v. Industrial Commission of the State of Illinois (Quintin Lewis, respondent).

Motion by petitioner for leave to file petition for leave to appeal.

No. 96958 - In re Estate of Ernest F. Vole, Deceased (Steven F. Vole, petitioner, v. Ernest M. Vole, etc., et al., respondents).

Motion by petitioner for leave to file petition for leave to appeal instant. Motion allowed.

Order entered by Justice Thomas.

No. 96962 - Ronald Suwanski, Indv., etc., respondent, v. The Village of Lombard et al., petitioners.

Motion by petitioners for leave to file petition for leave to appeal instant. Motion allowed.

Order entered by Justice Thomas.

MISCELLANEOUS RECORD

M.R.18984 - In re: Lisa Ann Kellmeyer, an attorney, petitioner.

Motion by petitioner for leave to change her name on the roll of attorneys from Lisa Ann Kellmeyer to Lisa Ann Kistler. Motion allowed.

Order entered by Justice Fitzgerald.

M.R.18985 - In re: Jacqueline Claire Danis, an attorney,
petitioner.

Motion by petitioner for leave to change her name
on the roll of attorneys from Jacqueline Claire
Danis to Jacqueline Claire Todorovich. Motion
allowed.

Order entered by Justice Fitzgerald.

SUPREME COURT OF ILLINOIS

TUESDAY, SEPTEMBER 16, 2003

THE COURT MADE THE FOLLOWING ANNOUNCEMENTS:

MISCELLANEOUS RECORD

M.R.16302 - In re: Richard Douglas Garmer. Disciplinary Commission.

The petition by the Administrator of the Attorney Registration and Disciplinary Commission for costs pursuant to Supreme Court Rule 773 is allowed. Costs in the amount of \$909.95 are assessed against Richard Douglas Garmer, and he is directed to pay the costs in full to the Attorney Registration and Disciplinary Commission within 30 days of the entry of this order.

Judgment in the amount of \$909.95 is entered for the Attorney Registration and Disciplinary Commission and against Richard Douglas Garmer.

Order entered by the Court.

M.R.17158 - In re: Mark James Kanelos. Disciplinary Commission.

The petition by the Administrator of the Attorney Registration and Disciplinary Commission for costs pursuant to Supreme Court Rule 773 is allowed. Costs in the amount of \$1,000 are assessed against Mark James Kanelos, and he is directed to pay the costs in full to the Attorney Registration and Disciplinary Commission within 30 days of the entry of this order.

Judgment in the amount of \$1,000 is entered for the Attorney Registration and Disciplinary Commission and against Mark James Kanelos.

Order entered by the Court.

M.R.17701 - In re: Dorothy E. Bartlett-Svehla. Disciplinary Commission.

The petition by the Administrator of the Attorney Registration and Disciplinary Commission for costs pursuant to Supreme Court Rule 773 is allowed. Costs in the amount of \$512.50 are assessed against Dorothy E. Bartlett-Svehla, and she is directed to pay the costs in full to the Attorney Registration and Disciplinary Commission within 30 days of the entry of this order.

Judgment in the amount of \$512.50 is entered for the Attorney Registration and Disciplinary Commission and against Dorothy E. Bartlett-Svehla.

Order entered by the Court.

M.R.18099 - In re: Charles W. Hahn. Disciplinary Commission.

The petition by the Administrator of the Attorney Registration and Disciplinary Commission for costs pursuant to Supreme Court Rule 773 is allowed. Costs in the amount of \$1,000 are assessed against Charles W. Hahn, and he is directed to pay the costs in full to the Attorney Registration and Disciplinary Commission within 30 days of the entry of this order.

Judgment in the amount of \$1,000 is entered for the Attorney Registration and Disciplinary Commission and against Charles W. Hahn.

Order entered by the Court.

M.R.18164 - In re: Kenneth Paul Zurek. Disciplinary Commission.

The petition by the Administrator of the Attorney Registration and Disciplinary Commission for costs pursuant to Supreme Court Rule 773 is allowed. Costs in the amount of \$1,000 are assessed against Kenneth Paul Zurek, and he is directed to pay the costs in full to the Attorney Registration and Disciplinary Commission within 30 days of the entry of this order.

Judgment in the amount of \$1,000 is entered for the Attorney Registration and Disciplinary Commission and against Kenneth Paul Zurek.

Order entered by the Court.

M.R.18384 - In re: Eric Keith Vickers. Disciplinary Commission.

The petition by the Administrator of the Attorney Registration and Disciplinary Commission for costs pursuant to Supreme Court Rule 773 is allowed. Costs in the amount of \$1,000 are assessed against Eric Keith Vickers, and he is directed to pay the costs in full to the Attorney Registration and Disciplinary Commission within 30 days of the entry of this order.

Judgment in the amount of \$1,000 is entered for the Attorney Registration and Disciplinary Commission and against Eric Keith Vickers.

Order entered by the Court.

M.R.18436 - In re: Philip Maksymenko. Disciplinary Commission.

The petition by the Administrator of the Attorney Registration and Disciplinary Commission for costs pursuant to Supreme Court Rule 773 is allowed. Costs in the amount of \$1,000 are assessed against Philip Maksymenko, and he is directed to pay the costs in full to the Attorney Registration and Disciplinary Commission within 30 days of the entry of this order.

Judgment in the amount of \$1,000 is entered for the Attorney Registration and Disciplinary Commission and against Philip Maksymenko.

Order entered by the Court.

M.R.18526 - In re: John Bruno Petrulis. Disciplinary Commission.

The petition by the Administrator of the Attorney Registration and Disciplinary Commission for costs pursuant to Supreme Court Rule 773 is allowed. Costs in the amount of \$1,000 are assessed against John Bruno Petrulis, and he is directed to pay the costs in full to the Attorney Registration and Disciplinary Commission within 30 days of the entry of this order.

Judgment in the amount of \$1,000 is entered for the Attorney Registration and Disciplinary Commission and against John Bruno Petrulis.

Order entered by the Court.

M.R.18697 - In re: H. Dean Hamra. Disciplinary Commission.

The petition by the Administrator of the Attorney Registration and Disciplinary Commission for costs pursuant to Supreme Court Rule 773 is allowed. Costs in the amount of \$590.75 are assessed against H. Dean Hamra, and he is directed to pay the costs in full to the Attorney Registration and Disciplinary Commission within 30 days of the entry of this order.

Judgment in the amount of \$590.75 is entered for the Attorney Registration and Disciplinary Commission and against H. Dean Hamra.

Order entered by the Court.

M.R.18710 - In re: David Kite Stalker. Disciplinary Commission.

The petition by the Administrator of the Attorney Registration and Disciplinary Commission for costs pursuant to Supreme Court Rule 773 is allowed. Costs in the amount of \$1,000 are assessed against David Kite Stalker, and he is directed to pay the costs in full to the Attorney Registration and Disciplinary Commission within 30 days of the entry of this order.

Judgment in the amount of \$1,000 is entered for the Attorney Registration and Disciplinary Commission and against David Kite Stalker.

Order entered by the Court.

M.R.18735 - In re: George Constantine Pontikes. Disciplinary Commission.

The petition by the Administrator of the Attorney Registration and Disciplinary Commission for costs pursuant to Supreme Court Rule 773 is allowed. Costs in the amount of \$1,000 are assessed against George Constantine Pontikes, and he is directed to pay the costs in full to the Attorney Registration and Disciplinary Commission within 30 days of the entry of this order.

Judgment in the amount of \$1,000 is entered for the Attorney Registration and Disciplinary Commission and against George Constantine Pontikes.

Order entered by the Court.

SUPREME COURT OF ILLINOIS

CALL OF THE DOCKET, TUESDAY, SEPTEMBER 16, 2003

No. 95311 - People State of Illinois, appellant, v. Elizabeth Ehlert, appellee. Appeal, Appellate Court, First District.

Oral argument by Peter D. Fischer for appellant and by Allan R. Sincox for appellee. Submitted. Agenda 15.

No. 95350 - People State of Illinois, appellant, v. Mary Braggs, appellee. Appeal, Appellate Court, First District.

Oral argument by John E. Nowak for appellant and by Bruce C. Landrum for appellee. Submitted. Agenda 16.

No. 95491 - People State of Illinois, appellee, v. Donald Cookson, appellant. Appeal, Appellate Court, Fourth District.

Oral argument by Robert N. Markfield for appellant and by Jay Paul Hoffman for appellee. Submitted. Agenda 17.

No. 95574 - People State of Illinois, appellant, v. Tiffany Hopp, appellee. Appeal, Appellate Court, Third District.

Oral argument by Domenica A. Osterberger for appellant and by Diana N. Cherry for appellee. Submitted Agenda 18.

No. 95663 - People ex rel. Lisa Madigan, Attorney General of the State of Illinois, et al., etc., petitioners, v. Donald N. Snyder, Jr., Director, Illinois Department of Corrections, et al., etc., respondents. Mandamus.

Oral argument by Barry Gross for petitioners and by David A. Strauss, Terri L. Mascherin, Lawrence C. Marshall and Steven Clark for respondents. Submitted. Agenda 19.